

Approved as Submitted: December 17, 2003

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING
MINUTES – DECEMBER 5, 2003**

CALL TO ORDER

Mayor Pro Tempore Chang called the special meeting to order at 4:50 p.m.

ROLL CALL ATTENDANCE

Present: Council Members, Chang, Sellers, and Tate

Arriving Late: Mayor Kennedy (arrived at 4:59 p.m.), and Council Member Carr (arrived at 4:55 p.m.)

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk Malone certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

City Council Action

OTHER BUSINESS:

1. UPDATE OF THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (MEASURE P)

City Attorney Leichter reviewed the issues for the City Council, explaining that the ballot measure question defined in Resolution No. 5736, 5738, and 5739, adopted on November 19, 2003, was found to contain more words than allowed by the Santa Clara County Registrar of Voters. The ballot question had to be reduced to 75 words. She indicated that staff had reduced the ballot question to 75 words, and the purpose of this special meeting was for the Council to review and adopt the new wording contained in Resolution No. 5740 and 5741, amending the previously approved resolutions.

Director of Community Development Bischoff clarified the differences in the two versions of the ballot question, Version A and Version B, being presented to the Council for consideration.

After Council discussion, the consensus was that the wording should be further amended to strike the words "..., and comply with state legal requirements"; and following "a population ceiling of 48,000" to add the words "for the year 2020".

Action: *On a motion by Council Member Sellers and seconded by Council Member Carr, the Council unanimously (4-0, with Kennedy absent) **Adopted**, with amendments, version B of Resolution No. 5740, calling for the election, and Resolution No. 5741, setting priorities for written arguments.*

Council discussion continued regarding the submittal of input from Council members for the ballot arguments being prepared by Council Members Tate and Carr. Comments from those with further input will be provided to Council Member Tate and Council Member Carr for their consideration regarding

incorporation into the final document at their discretion. Council members will be asked to review and sign the final document, and submit it to the City Clerk by Tuesday, December 9, 2003, for submittal to the Registrar's office.

FUTURE COUNCIL-INITIATED AGENDA ITEMS

No items were identified.

ADJOURNMENT

There being no further business, Mayor Kennedy adjourned the meeting at 5:17 p.m.

EMERGENCY MEETING CONVENED

Mayor Kennedy convened an emergency meeting at 5:18 p.m. due to an urgent issue brought to the attention of the Council at that time regarding a State budget legislative issue.

City Council members placed a conference call to Senator McPherson's office to request that Senator McPherson include a provision in the State's \$15 billion dollar loan proposal to insure that Vehicle License Fees be backfilled to the cities and counties.

ADJOURNMENT

There being no further business, Mayor Kennedy adjourned the meeting at 5:21 p.m.

MINUTES RECORDED AND PREPARED BY:

MOIRA MALONE, DEPUTY CITY CLERK